



ADMINISTRATIVE RULES OF MONTANA



12.6.1541 POSSESSION OF PROHIBITED SPECIES

- (1) The prohibited species in ARM 12.6.1540 and animals classified by the Department of Livestock pursuant to 87-4-424 , MCA, may not be possessed, bred, released, imported, transported, bought, sold, bartered or traded within the state, except as authorized in writing by the department. A person may possess prohibited species for the life of the animals, provided that the person gained possession of the animals prior to May 15, 1992, and the animal is neutered and properly contained. Proof of ownership (including the date of acquisition) and neutering of such animals must be retained on the game farm premises. Prohibited species not legally retained under this rule must, within ten days of notice from the department, be transported out of the state in compliance with the requirements of the Department of Livestock and the game farm rules of the receiving state and federal laws or be destroyed by the owner.
- (2) Animals testing positive for elk-red deer hybridization pursuant to ARM 12.6.1542 are subject to the following:
 - (a) a licensee shall neuter, sterilize, slaughter or sell such animal and its progeny out of the state within six months after the initial determination of a positive test result for elk-red deer hybridization. If the licensee fails to do so, the animal's possession shall be deemed illegal and the department may seize the animal. Any animal testing positive for elk-red deer hybridization must be confined to prevent breeding during the appropriate breeding season as defined in ARM 12.6.1538;
 - (b) a licensee shall submit proof of neutering or sterilization to the department and the Department of Livestock; and
 - (c) a licensee shall provide five working days advance written notice to the department and the Department of Livestock before removing any such animal from the licensee's game farm.

Authorizing statute(s): 87-4-422, MCA

Implementing statute(s): 87-4-407, 87-4-424, MCA

History: NEW, 1999 MAR p. 79, Eff. 1/15/99.